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COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

LEGAL SUBCOMMITTEE

Thirty-first session

SUMMARY RECORD OF THE 551st MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 24 March 1992, at 10 a.m.

Chairman: Mr. MIKULKA (Czechoslovakia)

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The meeting was called to order at 10.35 a.m.

PARTICIPATION OF NON-MEMBER STATES

1. The CHAIRMAN said that he had received a communication from Spain requesting participation in the meetings of the Subcommittee. Inasmuch as the granting of observer status was a prerogative of the parent Committee, the Subcommittee did not need to take any formal decision on the matter. He suggested that, in accordance with the practice of past years, the representatives of Spain might attend formal meetings of the Subcommittee and direct to the Chair a request for the floor if they wished to make a statement.

2. It was so decided.

GENERAL EXCHANGE OF VIEWS

3. Mr. HE Qizhi (China) said that the development of space law within the United Nations system was an important and inseparable part of progress in space science and technology. The recent profound changes in the international scene, which had reduced levels of military confrontation, provided an excellent opportunity to prevent the stationing of weapons, especially nuclear weapons, in space and accelerate the law-making process so as to promote the peaceful uses of outer space for the benefit of mankind, as well as international peace and security. As a country involved in the exploration of space, China would continue to play an active part in the making of space law.

4. 1992 was International Space Year, whose theme was "Planet Earth". Since the Earth's environment had suffered greatly from man's activities, it had become essential to monitor and protect that environment and exploit the planet's resources rationally. China was playing an active part in the Year, including sponsoring a number of symposia. The activities of the Year were bound to promote the further development of international legislation on space.

5. The use of nuclear power sources in outer space offered a number of advantages. However, the first consideration in any use of that sophisticated technology would have to be the safety of the global environment and the security of mankind, since all countries could be affected by an accident. The Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency and, once adopted, the Principles Relevant to the Use of Nuclear Power Sources in Outer Space would be of considerable benefit for that purpose. Consensus had been reached on 8 out of the 11 draft Principles; it was to be hoped that the Subcommittee would make every effort to achieve agreement on the remaining three during International Space Year.

6. Great differences of opinion still remained on the definition and delimitation of outer space, an issue with complex political, technical, security and other elements. Moreover, much remained unknown about the upper atmosphere and it needed further exploration and study. China therefore agreed that the legal issues relating to aero-space flight should be considered beforehand, since that might help clarify the problem.

7. The relevant United Nations resolutions gave the Committee on the Peaceful Uses of Outer Space and its Legal Subcommittee a mandate to consider principles relating to the utilization of the geostationary orbit. China considered the functions of the Committee and the International Telecommunication Union on the subject to be complementary, with the former focusing on the development of legal principles and the latter dealing with technical specifications and arrangements. Because the geostationary orbit was a limited natural resource, it was essential to establish a legal framework for its use and to improve present practice.

8. In the context of the principle of common benefit, China welcomed the working paper on "Principles regarding international cooperation in the exploration and utilization of outer space for peaceful purposes" (A/AC.105/C.2/L.182) prepared by a number of countries belonging to the Group of 77 at the end of the Subcommittee's last session and would participate actively in its consideration.

9. Mr. HAMBALI (Indonesia) said that the dramatic change in world patterns that formed the backdrop to the present session offered new opportunities to promote cooperation among States. The present session was also important in that it was taking place in International Space Year. Activities related to the Year were under way in many countries, irrespective of whether they had advanced, modest or no meaningful capabilities in space, and they reflected the hope, especially in developing countries, that the science and technology of space could benefit and improve the quality of life of peoples engaged in national development.

10. That hope was in line with the principles enshrined in the Outer Space Treaty, which would remain a dead letter unless such aspirations were achieved and consideration was given to the need for access to the knowledge and applications of space exploration and use, for the transfer of technology and for an international guarantee that the utilization of outer space or any part of it, as a limited natural resource, would be carried out in a rational and equitable manner and in such a way as to preserve it for future generations. That would help to narrow the gap between developed and developing countries in the space domain and guarantee not only the de jure, but also the de facto, application of the principle of equality in space activities.

11. Success in developing a legal framework for space ventures along those lines would provide laws that could act as tools for social engineering at the international level. His delegation reaffirmed its commitment to the Subcommittee's common endeavour to establish such a legal framework speedily and in a spirit of mutual understanding and cooperation.

The meeting rose at 10.55 a.m.